



Legislative Bulletin.....October 16, 2007

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H.Res. 734— Expressing the sense of the House of Representatives regarding the appreciation for the political, economic and security situation in Iraq and the importance of safeguarding classified and sensitive governmental information the appropriate release of which could affect the United States' bilateral relationship with the Government of Iraq and could put in danger the lives of Americans or the lives of America's allies

Summary of the Bill Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$0

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.Res. 734— Expressing the sense of the House of Representatives regarding the appreciation for the political, economic and security situation in Iraq and the importance of safeguarding classified and sensitive governmental information the appropriate release of which could affect the United States' bilateral relationship with the Government of Iraq and could put in danger the lives of Americans or the lives of America's allies (*Waxman, D-CA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, October 16th, subject to a closed rule (H.Res. 741), prohibiting all amendments. The rule would allow one motion to recommit without instructions.

NOTE: There are conflicting reports about whether an amended version of this resolution would be considered on the House floor today (though the closed rule seems to provide for consideration of only the introduced version). Below is the summary of the version we believe will come to the floor. The RSC will circulate any updates, as necessary, if this situation changes.

Summary, as amended: H.Res. 734 would resolve a sense of the House that:

- “as Congress considers the President’s request for over \$150,000,000,000 more for the war in Iraq, it is essential that Congress and the people of the United States know the extent of corruption in the Iraqi government and whether corruption is fueling the insurgency and endangering members of the United States Armed Forces;
- “it is imperative the Department of State double their efforts and centralize the authority within the United States Embassy in Iraq to assist the Iraqi Government fight corruption in all its forms;
- “the Department of State reemphasize to its employees the proper manner to present complaints about ongoing policy, especially when it deals with classified, or potentially classified, information, and that Department of State employees not release classified, or potentially classified, information to their relatives or the media;
- “the decision to classify information contained in the Government Accountability Office report titled, ‘Stabilizing and Rebuilding Iraq: U.S. Ministry Capacity Development Efforts Need an Overall Strategy to Guide Efforts and Manage Risk,’ was made pursuant to Executive Order 12958 and current agency guidelines, and any determination that classification was wrong or improper should be undertaken pursuant to established declassification procedures, not by Congressional resolution;
- “it is an abuse of the classification process to withhold from Congress and the people of the United States broad assessments of the extent of corruption in the Iraqi Government;
- “it is not an abuse of the classification process to protect from unauthorized disclosure information contained in draft internal, unedited, unpublished, and unapproved reports that reasonably may be expected to cause harm to the national defense or foreign relations of the United States;
- “any directive that prohibits Federal Government officials from providing Congress and the people of the United States with ‘broad statements/assessments which judge or characterize the quality of Iraqi governance or the ability/determination of the Iraqi government to deal with corruption, including allegations that investigations were thwarted/stifled for political reasons’ should be rescinded; and

- “broad statements and assessments judging or characterizing the quality of Iraqi governance or the ability or determination of the Iraqi government to deal with corruption or allegations of political interference in anti-corruption efforts are not the policy of the United States government unless authorized by the President or the Secretary of State and reviewed for appropriate classification.”

The resolution quotes Stuart Bowen, the Special Inspector General for Iraq Reconstruction, and U.S. Comptroller, General David Walker, in their testimony before the Oversight and Government Reform Committee regarding the harmful effects of corruption in the Iraqi Government and its effects on rebuilding Iraq.

The resolution also quotes the chairman of the Independent Commission on the Security Forces of Iraq, General James L. Jones, U.S.M.C. (Ret.), regarding his assertion that corruption is “pervasive” in the Iraq Ministry of Interior (responsible for domestic security).

Additionally, the resolution cites numerous instances where the Bush Administration was purportedly restricting the spread of information about such corruption in Iraq (including deeming certain reports as classified retroactively).

Additional Background: The State Department asserts that it did not “retroactively” classify the report on Iraqi government corruption referenced above. Rather, the Department asserts, the report was leaked early and should have been classified before it was ever released.

To access documents and video (as well as Bush Administration and GAO statements) related to the Oversight and Government Reform Committee hearing on corruption in the Iraqi Government, visit this webpage: <http://oversight.house.gov/story.asp?ID=1514>.

For news stories about Iraqi government corruption, visit these three webpages:

- <http://www.cnn.com/2007/WORLD/meast/09/27/iraq.draft.report/index.html>
- http://news.yahoo.com/s/mcclatchy/20071004/wl_mcclatchy/20071004bcusiraqcorruption_attn_national_foreign_editors_ytop
- http://www.usatoday.com/news/washington/2007-10-04-iraq-corruption_N.htm?csp=34

Possible Conservative Concerns: Some conservatives may be concerned that this resolution mischaracterizes the retroactive classification of a report that was leaked prematurely and was always intended to be classified before release. Some conservatives may also regard this resolution as partisan and unhelpful, aimed at the classification procedures, the Bush Administration, and the Iraqi government.

Committee Action: On October 12, 2007, H.Res. 734 was referred to the Oversight and Government Reform Committee, which took no subsequent public action on it.

Administration Position: Although a Statement of Administration Policy (SAP) was not available at press time, since the resolution includes several statements criticizing—and calling

for the reversal of—Bush Administration actions, it is likely that the Administration would oppose this resolution.

Cost to Taxpayers: The resolution would authorize no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: An earmarks/revenue benefits statement is not required for House resolutions (except joint resolutions) under House Rule XXI.

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